

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

Chris Carden d/b/a,
Carden Enterprises

Plaintiff,

v.

State Auto Insurance Companies,

Defendant.

Case No.: 3:14-CV-223-PLR-HBG

MEMORANDUM OPINION

This matter comes before the Court on the plaintiff's motion to dismiss or remand based on a lack of subject-matter jurisdiction. [R. 12]. The defendant has not timely opposed the motion. This case was originally filed in the Chancery Court for Knox County, Tennessee, but was removed based on diversity of citizenship under 28 U.S.C. § 1332. For a court to have subject-matter jurisdiction under § 1332, the amount in controversy must exceed \$75,000. On the face of the plaintiff's amended complaint, it is apparent that the plaintiff seeks a sum less than \$75,000. [R. 11]. In fact, the plaintiff has stipulated it will at no time seek any more than \$74,999.99 in this lawsuit. [R. 13]

Because the amount in controversy does not exceed \$75,000 as required by 28 U.S.C. § 1332, the plaintiff's motion to remand, [R. 12], is **GRANTED**. This action will be **REMANDED** to the Chancery Court for Knox County, Tennessee.


UNITED STATES DISTRICT JUDGE